

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7598

Tariff filing of Vermont Marble Power Division)
of OMYA, Inc., requesting a rate increase and)
rate design changes, effective March 1, 2010)

Order entered: 2/23/2010

**ORDER SUSPENDING TARIFF FILING
AND NOTICE OF PREHEARING CONFERENCE**

I. REPORT

On January 6, 2010, Vermont Marble Power Division of OMYA, Inc. ("Vermont Marble" or the "Company") filed revised tariffs and cost of service schedules with the Public Service Board ("Board") requesting an increase in its retail rates and changes to its rate design, to take effect on a service-rendered basis commencing March 1, 2010 (Tariff Filing No. 8124). The proposed rate request reflects an increase to residential, light commercial and street lighting rates of 23.71%, and an increase to commercial primary service rates of 51.66%. The Company provided notice of the proposed rate increase and rate design changes via publication in *The Rutland Herald* newspaper on February 6, 2010.

On February 12, 2010, the Vermont Department of Public Service, pursuant to 30 V.S.A. Section 225, informed the Board that it had reviewed the filing and recommended that the proposed rate increase and rate design changes be suspended and investigated.

II. TEMPORARY ORDER

Under the provisions of 30 V.S.A. Section 226,

IT IS HEREBY ORDERED that the tariff filing submitted by Vermont Marble Power Division of OMYA, Inc., on January 6, 2010, is hereby suspended and shall not become effective until final determination of the proceedings hereby instituted.

IT IS FURTHER ORDERED that the Board will investigate the changes proposed by Vermont Marble to determine whether or not such changes are just and reasonable.

IT IS FURTHER ORDERED, pursuant to 30 V.S.A. Section 8, that Mary Jo Krolewski, Utilities Analyst, is appointed to serve as the Hearing Officer in this proceeding.

IT IS FURTHER ORDERED, pursuant to 30 V.S.A. Section 11(a)(2), that a prehearing conference will be held in this matter on Thursday, March 11, 2010, commencing at 9:30 A.M., at the Public Service Board Hearing Room, Third Floor, Chittenden Bank Building, 112 State Street, Montpelier, Vermont.

Pending final determination of the cause, the right is reserved to said petitioner to apply to this Board for an immediate reasonable temporary increase or change in rates upon establishing to the satisfaction of the Board, after public notice and preliminary hearing, that the public interest requires a temporary change in rates, charges or service, or that such change is necessary for the purpose of providing adequate and efficient service or for the preservation of the property of said petitioner.

DATED at Montpelier, Vermont, this 23rd day of February, 2010.

VERMONT PUBLIC SERVICE BOARD

By: s/ Susan M. Hudson
Clerk of the Board

OFFICE OF THE CLERK

Filed: February 23, 2010

Attest: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)